

UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED
July 19, 2013

Lyle W. Cayce
Clerk

No. 12-40447

D.C. Docket No. 1:04-CV-42

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

SEP 23 2013

United States of America, ex rel, DAVID R. VAVRA, Et Al

Plaintiffs

DAVID J. MALAND, CLERK
BY
DEPUTY OC

UNITED STATES OF AMERICA,

Intervenor - Appellant

v.

KELLOGG BROWN & ROOT, INCORPORATED,

Defendant - Appellee

Appeal from the United States District Court for the
Eastern District of Texas, Beaumont

Before JOLLY, BENAVIDES, and HIGGINSON, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

It is ordered and adjudged that the judgment of the District Court is reversed, and the cause is remanded to the District Court for further proceedings in accordance with the opinion of this Court.

E. GRADY JOLLY, Circuit Judge, concurring in the judgment:

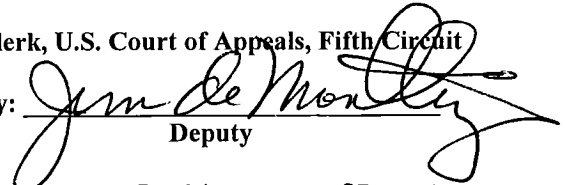
ISSUED AS MANDATE:

SEP 17 2013

A True Copy
Attest

Clerk, U.S. Court of Appeals, Fifth Circuit

By:

A handwritten signature in black ink, appearing to read "Jim DeMonte", written over a horizontal line.

Deputy

New Orleans, Louisiana

SEP 17 2013